

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

LANDS – Hyderabad District – Shaikpet Mandal – Transfer of Rights on certain occupations / encroachments of specified categories of unassigned Government lands – Application of Mrs. Perin B Dittia W/o late B.F.Dittia (Retd. IAS) for regularization of encroached Government land an extent of 969 Square Yards in Ward No.12, Block 'K', T.S. No.34 in Shaikpet Village Mandal, Hyderabad District – Orders - Issued.

Revenue (Assignemnts.III) Department

G.O. Ms. No. 1226

Dated 20.09.2010
Read the following :-

- (1) G.O. Ms. No.166, Revenue (Assn.POT) Department, dated 16.2.2008.
- (2) Application dated 14.08.2008 Mrs. Perin B.Dittia W/o late B.F.Dittia addressed to the District Collector – Hyderabad.
- (3) Letter No. E/15212/2008, dated 24.01.2009 of Tahsildar Shaikpet Mandal, Hyderabad District.
- (4) Letter No.I2/17243/2008, dated 18.3.2008 of the District Collector – Hyderabad.
- (5) From the Chief Commissioner of Land Administration, Hyderabad Letter No. BB2/754/2009, dated 13.08.2009.
- (6) Government Memo. No.35490/Assn.III(1)/2009, dated 02.03.2009.
- (7) From the Chief Commissioner of Land Administration, Hyderabad Letter No. BB2/754/2009, dated 21.07.2010.

-:O:-

ORDER :-

Mrs. Perin B Dittia W/o late B.F.Dittia (Retd. IAS) has put in an application dated 14.08.2008 second read above to the District Collector Hyderabad requesting for regularization of Government land encroached by her measuring an extent of 969 square yards in Ward No.12, Block 'K', T.S. No.34 in Shaikpet Village Mandal, Hyderabad District on payment of cost as per G.O. Ms. No. 166, Revenue (Assn.POT) Department, dated 16.2.2008.

2. In his letter 3rd read above the Mandal Revenue Officer Shaikpet Mandal in his Check-Memo inter-alia indicated that total extent of encroachment is 969 Square Yards (810 Square Meters) in T.S. No.34/2, Block 'K', Ward No.12, Shaikpet Village and Mandal, Hyderabad District of GHMC area and the land classification is 'Government' and also reported that the encroachment is un-objectionable and the applicant is above poverty line (APL). The Tahsildar Shaikpet also reported that the land applied for regularization is vacant on ground and it is available surrounded by the existing house and reported that it does not attracts the provisions of G.O. Ms. No.1601 prevailing at that point of time as the land is vacant on ground. It has also been reported that, now the applicant has applied for regularization under G. O. Ms. No.166, dated 16.2.2008. As per the documents produced by the applicant, which are in the name of B.F.Dittia, husband of the applicant, the applicant is the wife and legal heir of the deceased are shows prior to 31.12.2003.

3. The District Collector in his letter dated 18.03.2008 4th read above addressed to the Chief Commissioner of Land Administration, has informed that the above said was inspected by the District Level Committee and the application was placed before the District Level Committee held on 13.02.2009 and the Committee has recommended the case for regularization of Government land to an extent of 969 Square Yards and requested to forward the application to the Chief Commissioner of Land Administration A.P. Hyderabad for placing the same before the State Level Committee headed by Chief Commissioner of Land Administration, AP Hyderabad for taking decision.

contd.2.

4. In the reference 5th read above the Chief Commissioner of Land Administration has reported that the proposal received from the District Collector Hyderabad for regularization of Government land encroached by Mrs. Perin B.Dittia for regularization of Government land encroached to an extent of 969 Square yards in Ward No.12, Block 'K', TS No.34 in Shaikpet Village and Mandal Hyderabad District was placed before the Regularization Committee held on 25.7.2009. The Committee have recommended the proposal on payment of basic value of Rs.7,500/- per Square yard as on 31.12.2003 and the total amount comes to Rs.29,96,485/- (Rupees twenty nine lakhs ninety six thousand four hundred and eight five) only. The Chief Commissioner of Land Administration has, therefore, requested the Government to issue necessary orders in the matter.

5. Government vide reference 6th read above, a further report has been obtained from the Special Chief Secretary and Chief Commissioner of Land Administration and vide reference 7th read above it has been reported that Mrs. Perin B Dittia is in the possession of 4481 Square Yards within compound wall out of which an extent of 3512 Square Yards is a private land and 969 Square Yards is Government land which is vacant on ground and it is surrounded to the existing house. Sri B.F.Dittia and Mrs. Perin Dittia purchased the said private land (3512 Square yards) through Sale Deeds. Sri B.F.Dittia expired in the year 2004 and the rights devolved to his wife P.B. Dittia. The widow of Sri B.F.Dittia i.e. Mrs. PB Dittia had applied for transfer of rights to the Government land admeasuring 969 Square Yards which is under her occupation since 1967 surrounded by a compound wall on the strength of Document No.185/67 and claimed 75% depreciation. This document of 185/1967 is not related to the encroached Government land of 969 Square yards. The total extent of land both private and Government is under active construction started in the month of may, 2009. The applicant has applied for Transfer of Rights in the month of May, 2008 and without obtaining actual proceedings he has gone ahead with the construction. The proposal was recommended to the Government through Chief Commissioner of Land Administration considering 1963 document @75% depreciation. When a clarification sought for by the Government, it has been reported that though husband of Smt P.B. Dittia died in the year 2004, the applicant also jointly in possession of the property since 1967. It does not make any difference in giving depreciation if either of the documents i.e. the documents of 1963 or 1967 taken into consideration. Therefore, it has been reported to pass necessary orders for giving depreciation in favour of Mrs. Perin B.Dittia as she also jointly in possession of the property in addition to the Government land 969 Square yards since 1967 (26 years). The District Collector Hyderabad has taken the Registered Document for cognizance for the year 1963 is a Registered Document belongs to a patta land and the petitioner has sought for depreciation on the basis of Registered Document No. 185/67 is also related to a patta land.

6. Government have examined the matter in the light of the policy guidelines issued in G.O. Ms. No. 166, Revenue (Assn.POT) Department, dated 16.2.2008 and after careful consideration of the recommendations of the Regularization Committee hereby accord permission for transfer of rights of Government land encroached to an extent of 969 Square yards in Ward No.12, Block 'K', TS No.34 in Shaikpet Village and Mandal Hyderabad District in favour of Smt. Perin B.Dittia w/o late B.F.Dittia on payment of basic value of Rs.7,500/- per Square yard as on 31.12.2003 and the total amount comes to Rs.29,96,485/- (Rupees twenty nine lakhs ninety six thousand four hundred and eight five) only. The above transfer of rights is subject to adhering the following conditions.

- (A) It is to be ensured that the proof of document furnished by the applicant should be in favour of the applicant and the document should be on or before the stipulated dated i.e. 31.12.2003.

- (B) The Registered Document should be verified about its validity and genuineness.
- (C) the calculation should be verified as per the matrix and confirm its correctness before giving notice to the applicant.
- (D) An affidavit should be obtained from the applicant that he shall forego his right in all pending cases and withdraw LG / SLP cases pending before the Land Grabbing (Prohibition) Court and other Courts,
- (E) All other conditions prescribed in G.O. Ms. No.166, dated 16.2.2008 should be followed.

7. The original record of the District Collector Hyderabad vide file bearing No. I2/17243/2008 Note file and Current File is returned herewith to the District Collector and receipt of the record may be acknowledged.

8. The Chief Commissioner of Land Administration, AP Hyderabad shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

ANIL CHANDRA PUNETHA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Special Chief Secretary and Chief Commissioner of
Land Administration, AP Hyderabad
The Collector – Hyderabad.
(with records)

Copy to:
The Applicant (thro' Collector - Hyderabad)
SF

/ Forwarded :: By Order /

SECTION OFFICER